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PTO/SB/82 (08-03)

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# **REVOCATION OF POWER OF ATTORNEY and APPOINTMENT OF NEW POWER OF ATTORNEY**

Application Number	10/828,343
Filing Date	April 21, 2004
First Named Inventor	Bernhard FLECKENSTEIN
Art Unit	1636
Examiner Name	KAUSHAL, Sumesh
Attorney Docket Number	38137-0022

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith:

OR

☒ I hereby appoint the practitioners at Customer Number: **23565**

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with Customer Number: **23565**

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City		State		ZIP
Country				
Telephone		Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 C.F.R. 3.71.  
Statement under 37 C.F.R. 3.73(b) is enclosed. (Form PTO/SB/96)

## **SIGNATURE of Applicant or Assignee of Record**

Name	Abram Goldfinger		
Signature	<i>Abram Goldfinger</i>		
Date	12/8/04	Telephone	212-263-8178

NOTE: Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Bernhard FLECKENSTEIN et al.

Application No./Patent No.: 10/828,343

Filed/Issue Date: April 21, 2004

Entitled: Viral Interleukin-6

New York University

a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of an undivided part interest (50%)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the parent patent application to the patent application identified above. The assignment was recorded in the Patent and Trademark Office on May 12, 1999 at Reel 010006 Frame 0276, in parent application Serial No. 09/230,048, for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

12/8/04  
Date

Abram M. Goldfinger  
Signature

Abram M. Goldfinger

Typed or printed name

Executive Director, Industrial  
Liaison/Technology Transfer

Title



PTO/SB/82 (08-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# **REVOCATION OF POWER OF ATTORNEY and APPOINTMENT OF NEW POWER OF ATTORNEY**

Application Number	10/828,343
Filing Date	April 21, 2004
First Named Inventor	Bernhard FLECKENSTEIN
Art Unit	1636
Examiner Name	KAUSHAL, Sumesh
Attorney Docket Number	38137-0022

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith:

OR

☒ I hereby appoint the practitioners at Customer Number: \_\_\_\_\_

☒ Please change the correspondence address for the above-identified application to:

☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	David Jackson KLAUBER & JACKSON				
Address	Continental Avenue				
Address	411 Hackensack Avenue				
City	Hackensack	State	NJ	ZIP	07601
Country	USA				
Telephone	201-487-5800	Fax	201-343-1684		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 C.F.R. 3.71.  
Statement under 37 C.F.R. 3.73(b) is enclosed. (Form PTO/SB/96)

## **SIGNATURE of Applicant or Assignee of Record**

Name	Dr. Auerbach	Dr. Buck
Signature		
Date	December 10, 2004	Telephone

NOTE: Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Bernhard FLECKENSTEIN et al.Application No./Patent No.: 10/828,343Filed/Issue Date: April 21, 2004Entitled: Viral Interleukin-6

Dade Behring Marburg GmbH

a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest or
2. ☒ an assignee of an undivided part interest (50%)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the parent patent application to the patent application identified above. The assignment was recorded in the Patent and Trademark Office on May 12, 1999 at Reel 010008 Frame 0276, in parent application Serial No. 09/230,048, for which a copy thereof is attached.

OR

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☐ Copies of assignments or other documents in the chain of title are attached.

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The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

December 10, 2004

Date

Dr. Averbach

Dr. Buck

Typed or printed name

Director Patents and IP Counsel  
Licenses

Title



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

AUGUST 11, 1999

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POLEY & LARDNER  
PATRICIA D. GRANADOS, ESQ.  
3000 K STREET, N.W., SUITE 500  
WASHINGTON, D.C. 20007-5109.

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RECORDATION DATE: 05/12/1999

REEL/FRAME: 010006/0276  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
FLECKENSTEIN, BERNHARD

DOC DATE: 01/11/1999

ASSIGNOR:  
ALBRECHT, JENS-CHRISTIAN

DOC DATE: 01/11/1999

ASSIGNOR:  
NEIPEL, FRANK

DOC DATE: 01/11/1999

ASSIGNOR:  
FRIEDMAN-KIEN, ALVIN

DOC DATE: 03/02/1999

ASSIGNOR:  
HUANG, YAO-QI

DOC DATE: 03/02/1999

ASSIGNEE:  
BEHRING DIAGNOSTICS GMBH  
POSTFACH 11-49  
MARBURG, FED REP GERMANY D-35001

010006/0276 PAGE 2 .

ASSIGNEE:  
NEW YORK UNIVERSITY  
70 WASHINGTON SQUARE, S.  
NEW YORK, NEW YORK 10012

SERIAL NUMBER: 09230048  
PATENT NUMBER:

FILING DATE: 03/12/1999  
ISSUE DATE:

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



CRM PTO-1595 (modified)  
Rev. 8-93)

JMB No. 0661-0011 (exp. 4/94)

06-11-1999

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents:

1. Name of conveying party(ies):

101063389  
rld 5-12-99  
Bernhard FLECKENSTEIN (January 11, 1999); Jens-  
Christian ALBRECHT (January 11, 1999); Frank NEIPEL  
(January 11, 1999); Alvin FRIEDMAN-KIEN (March 2,  
1999); and Yao-Qi HUANG (March 2, 1999)

Additional name(s) of conveying party(ies) attached? No

3. Nature of conveyance:

☒ Assignment                      ☐ Merger  
☐ Security Agreement           ☐ Change of Name  
☐ Other

Execution Date: Same as Above

d original documents or copy thereof.

Name and address of receiving party(ies):

Name: Behring Diagnostics GmbH

Internal Address:

Street Address: Postfach 11 49City: Marburg, State: Federal Republic of GermanyZIP: D-35001Additional name(s) & address(es) attached? Yes

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/230,048

B. Patent No.(s)

Additional numbers attached? No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Patricia D. Granados, Esq.Internal Address: FOLEY & LARDNERStreet Address: 3000 K Street, N.W., Suite 500City: Washington, State: D.C. ZIP: 20007-51096. Total number of applications and patents involved: 17. Total fee (37 C.F.R. § 3.41). . . . . \$40☒ Enclosed☐ Authorized to be charged to deposit account8. Deposit account number: 19-0741

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FC:504 original document.

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Patricia D. Granados  
Name of Person SigningSignature A.D. SAXEMarch 12, 1999  
DateTotal number of pages including cover sheet, attachments, and document: 3

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Washington, D.C. 20231

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Name: New York University

Internal Address:

Street Address: 70 Washington Square, S.

City: New York, State: NY ZIP: 10012

Additional name(s) & address(es) attached? No



# ASSIGNMENT

name and  
address of  
assignee

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto **Behring Diagnostics GmbH**

Postfach 11 49,

Marburg, D-35001, Federal Republic of Germany

and

**NEW YORK UNIVERSITY**

70 Washington Square, S.

New York, New York 10012

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of  
invention

**VIRAL INTERLEUKIN 6**

as set forth in this United States Patent Application

check one

☐ executed concurrently herewith

☐ executed on \_\_\_\_\_

☒ Serial No. PCT/EP96/03199 Filed July 19, 1996

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NAMES AND SIGNATURES OF INVENTORS		
Name: <b>Bernhard FLECKENSTEIN</b>	Signature: <i>Bernhard Fleckenstein</i>	Date: 11/1/99
Name: <b>Jens-Christian ALBRECHT</b>	Signature: <i>Jens-Christian Albrecht</i>	Date: 11/1/99
Name: <b>Frank NEIPEL</b>	Signature: <i>Frank Neipel</i>	Date: 11/1/99
Name: <b>Alvin FRIEDMAN-KIEN</b>	Signature: <i>Alvin Friedman-Kien</i>	Date: 3/2/99
Name: <b>Yao-Qi HUANG</b>	Signature: <i>Yao-Qi Huang</i>	Date: 3/2/99
NAMES AND SIGNATURES OF WITNESSES (D. L. S. C.)		
Name: <b>Renate Hott</b>	Signature: <i>Renate Hott</i>	Date: 11/1/99
Name: <b>Jessica Duxelis</b>	Signature: <i>Jessica Duxelis</i>	Date: 3/2/99

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29-OCT-2004 16:17

DADE BEHRING PLD MARBURG

+49 6421 393631

S.03/04

Umt.

HRB 2054

a) Tag der Eintragung  
und Umtreibung  
b) Bezeichnungen

Nachbarverhältnisse

Prozess

Personen  
Personen  
Gesellschafter  
AbwicklerGrund-  
oder  
Bauverhältnis  
DMAa) Firma  
b) Sitz  
c) Gegenstand des UnternehmensN.  
der  
Ein-  
tra-  
gung

a) 24. Okt. 1989

b) Gesellschaft  
Vertrag 03.  
2 FF 80

Gesellschaft mit beschränkter Haftung.  
Gesellschaftsvertrag vom 23.8.1989.  
Die Gesellschaft hat einen oder  
mehrere Geschäftsführer.  
Ist nur ein Geschäftsführer bestellt,  
vertritt dieser die Gesellschaft  
allein.  
Sind mehrere Geschäftsführer bestellt,  
so wird die Gesellschaft durch zwei Ge-  
schäftsführer oder durch einen Ge-  
schäftsführer und einen Prokuristen  
vertreten.

Prof. Dr. Dr.  
Dr. Bicker  
Frankfurt am Main  
64285 Bensheim

50.000,- DM

a) Gezogene Dispensations-  
dosier  
b) Marburg  
c) Die Erforschung, Ent-  
wicklung, Herstellung  
und der Vertrieb von  
diagnostischen Arznei-  
mitteln, insbesondere  
auch Diagnostika-  
systemen, im In- und  
Ausland.  
Die Gesellschaft kann  
alle Geschäfte ver-  
treuen und alle Hand-  
lungen vollziehen, die  
mit dem Zustand des  
Unternehmens unent-  
fährlich oder mit einer  
Zusammenfassung, die  
sich auch befehligen  
en gleichzeitigen oder  
tunlichen Vorkommen  
in In- und Ausland  
betreffen.

a) 26. Feb. 1987

Dr. Friedrich Glöckel, 744 Enthal-  
den, Palästina, CA 94301, USA und  
Palästina, Limburg, sind in Ge-  
sellschaft unentgeltlich.

Dr. Friedrich  
Glöckel  
Enthal-  
den, Palästina  
744 Enthal-  
den, Palästina  
CA 94301, USA

Palästina  
Enthal-  
den, Palästina  
744 Enthal-  
den, Palästina  
CA 94301, USA

a) 13. März 1987

Die Beschriftung des Gesellschaftsvertrags  
Dr. Friedrich Glöckel, Enthal-  
den, Palästina, CA 94301, USA und  
744 Enthal-  
den, Palästina, CA 94301, USA.

b) Berichtigend vermerkt

Für den Antragsteller

19.01.2004

29-Okt-2004 16:18

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+49 6421 393631

S.04/04

HRB 2054

Rücklage von Diet

Nr. der Eintragung	a) Firma b) GdL c) Gegenstand des Unternehmens	Grund- oder Stammkapital DM	Gesellschaftsform Abkürzung	Prokura	Fachwissen/Identifizierung	a) Tag der Eintragung und Unterschrift b) Bemerkungen
4		0		Prof. Dr. Jens Andreus, Bil. Kollm. Stefan Reck, Lohn- u. Gehaltsverw., Volfgang Schneider, Stefanburg und Stefanburg Verh. Marburg Ist Prokura erteilt; Jeder von ihnen vertritt die Gesellschaft als einen Geschäftsführer oder mit einem weiteren Produktionen.		a) 7. April 1997 4-9-1
5				Dr. Michael Bep. Klinderweiser Ist Prokura erteilt; er vertritt die Gesell- schaft mit einem Ge- schäftsführer oder mit einem weiteren Proku- risten.		a) 7. April 1997 4-9-1
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